

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14283 of 2020

Arising Out of PS. Case No.-204 Year-2019 Thana- CHACKMEHSI District- Samastipur

KAMALDEO RAY @ KAMAL RAY Son of Late Parameshwar Ray
Resident of Village - Chakmehasi, P.S.- Chakmehasi, Distt - Samastipur.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Jitendra Narain Sinha, Advocate.
For the State : Mr. Rajendra Prasad Nat, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 13-05-2020 Heard through Video Conferencing.

The petitioner seeks bail in connection with Chakmehasi P.S. Case No.204 of 2019/Computer Registration No.1341 of 2019 registered under Sections 272 and 273 of the Indian Penal Code besides Sections 30(a) and 47 of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving the secret information about unloading the foreign liquor at the cattle shed of Kamal Ray (petitioner) in village-Masumnagar Chakmehasi, the informant along with other police personnel reached there and, on search of the cattle shed of the petitioner, 1440 bottles, each containing 180 ml., 720 bottles, each containing 180 ml., 1056 bottles, each containing 180 ml., 1776 bottles, each



containing 375 ml., Indian Made Foreign Liquor, total in the volume of 1244.88 liters, kept in different cartoons, were recovered. At that time, the petitioner was not found there.

Submission is that, in fact, the petitioner is the resident of village-Chakmehasi and the cattle shed, which is said to be of the petitioner, was searched in village-Masumnagar and the petitioner was not found there. Further submission is that after knowing about lodging of the present case against him, the petitioner surrendered before the trial court on 29.01.2020 and since then he is in custody. The petitioner has no criminal antecedent.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 2nd Additional Sessions Judge-cum-Special Judge, Excise, Samastipur, in connection with Chakmehasi P.S. Case No.204 of 2019/Computer Registration No.1341 of 2019.

(Rajendra Kumar Mishra, J)

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